

**DEPARTMENT TEN  
JUDGE MICHAEL MATTICE  
707-207-7310  
TENTATIVE RULINGS SCHEDULED FOR  
MONDAY, NOVEMBER 20, 2017**

**BARCLAYS BANK DELAWARE v. DOMINGUE  
Case No. FCM152266**

Motion for Judgment on the Pleadings filed by Plaintiff

**TENTATIVE RULING**

The motion for judgment on the pleadings filed by plaintiff is granted under Code of Civil Procedure Section 438. Plaintiff has established that the complaint states facts sufficient to constitute a cause of action against defendant, and the answer does not state facts sufficient to constitute a defense thereto. Judgment in favor of plaintiff shall be entered.

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**ALEXANDER v. CAL. DEP'T OF CORR., ET AL.  
Case No. FCS048864**

Demurrer

**TENTATIVE RULING**

Parties to appear. Plaintiff Oliver shall appear by CourtCall arranged through the prison's litigation coordinator to discuss the following tentative ruling:

Defendant California Department of Corrections and Rehabilitations' unopposed demurrer to Plaintiff's complaint is sustained without leave to amend.

Defendant, a public entity, cannot be held liable for "[a]n injury to any prisoner." (Gov. Code § 844.6(a)(2).) The immunity applies to potential vicarious liability for the acts or omissions of employees acting in the scope of their employment. (*Lawson v. Superior Court* (2010) 180 Cal.App.4th 1372, 1383.)